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Counsel for Plaintiff

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

GOR GEVORKIAN, on behalf of himself
and all others similarly situated,

Case No. 3:18-cv-07004-JD

PLAINTIFF GOR GEVORKYAN'S
NOTICE OF MOTION AND
MOTION FOR EXTENSION OF
TIME TO SERVE FOREIGN
DEFENDANT BITMAIN
TECHNOLOGIES, LTD. AND TO
CONTINUE CASE MANAGEMENT
CONFERENCE; PROPOSED
ORDER

Date: March 28, 2019
Time: 10:00 a.m.
Ctrm: 11

BITMAIN TECHNOLOGIES, LTD.

Defendant.

1 TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

2 Please take notice that on March 28, 2019 at 10:00 a.m. or as soon thereafter as may
3 be heard in Courtroom 11 of the United States District Court located at 450 Golden
4 Gate Avenue, San Francisco, CA 94102, plaintiff Gor Gevorkyan will move the
5 court pursuant to Fed. R. Civ. P. 6 to extend the time to serve foreign defendant
6 Bitmain Technologies, Ltd. in China, and to continue the case management
7 conference. The motion is based on this notice, the memorandum of points and
8 authorities, pleadings on file, and arguments at the hearing.

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10 Date: February 20, 2019

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12 /s/ Adam Rose
13 Attorney for Plaintiff
14 Gor Gevorkyan
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1 MEMORANDUM OF POINTS AND AUTHORITIES

2 As alleged in the complaint, Bitmain Technologies is a Chinese corporation.
3 Plaintiff is in the process of effecting foreign service on Bitmain Technologies
4 pursuant to Fed.R.Civ.P 4(f) via the Hague Convention. Plaintiff has translated the
5 complaint into Chinese. However, the papers to be served must be presented to the
6 Chinese Central Authority, which then must transmit the documents to local
7 authorities for service upon the Bitmain Technologies, Ltd. In Beijing.

8 It is Plaintiff's understanding that service of process through the Chinese
9 Central Authority can take at least eight months (*see e.g.*, ABA Section of Litigation
10 2012 Section Annual Conference, April 18-20, 2012: ABA Chinese Drywall Panel,
11 "Service of Process in China") and as long as eighteen months.

12 To accommodate this extraordinary time to perfect service, Plaintiff requests
13 an extension of time for service of process pursuant to Fed.R.Civ.P. 6(b)(1), which
14 provides: "When an act may or must be done within a specific time, the court may,
15 for good cause shown, extend the time." Accordingly, Plaintiff requests an extension
16 until at least October 20, 2019 or another reasonable date to effect service on
17 Defendant Bitmain Technologies Ltd.

18 Separately, Plaintiff notes that the CMC in this matter is currently scheduled
19 for March 7, 2019. Since defendant Bitmain Technologies Ltd has not yet appeared
20 in the action and the other named defendant, Bitmain, Inc., has been dismissed
21 without prejudice (Dkt. No. 23), the Court may wish to reschedule the case
22 management conference to a later date.

23 Date: February 20, 2018

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25 /s/ Adam Rose
26 Attorney for Plaintiff
27 Gor Gevorkyan